

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**CARLA ANDERSON, aka  
CARLA R. ANDERSON, aka  
CARLA RAYNE ANDERSON**

Registered Nurse License No. 407891

Respondent

Case No. 2011-158

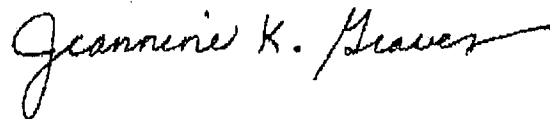
OAH No. 201000090905

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on June 1, 2011.

IT IS SO ORDERED May 2, 2011.



\_\_\_\_\_  
President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
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7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2011-158

13 **CARLA ANDERSON, a.k.a. CARLA R.**  
14 **ANDERSON, a.k.a. CARLA RAYNE**  
15 **ANDERSON**  
29985 SW Rose Lane, Apt. # 130  
Wilsonville, OR 97070  
Registered Nurse License No. 407891

OAH No. 201000090905  
**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

16 Respondent.

17  
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 **PARTIES**

- 21 1. Louise R. Bailey, M.Ed., RN (Complainant) was the Interim Executive Officer of the  
22 Board of Registered Nursing at the time this matter was filed, and she brought this action solely  
23 in her official capacity. For purposes of resolving this matter, Ms. Bailey is now the Executive  
24 Officer of the Board. The Complainant is represented in this matter by Kamala D. Harris,  
25 Attorney General of the State of California, by Susana A. Gonzales, Deputy Attorney General.  
26 2. Respondent Carla Anderson, also known as Carla R. Anderson, also known as Carla  
27 Rayne Anderson (Respondent) is representing herself in this proceeding and has chosen not to  
28 exercise her right to be represented by counsel.

1 3. On or about January 31, 1987, the Board of Registered Nursing issued Registered  
2 Nurse License No. 407891 to Carla Anderson (Respondent). The Registered Nurse License was  
3 in full force and effect at all times relevant to the charges brought in Accusation No. 2011-158  
4 and will expire on June 30, 2012, unless renewed.

5 JURISDICTION

6 4. Accusation No. 2011-158 was filed before the Board of Registered Nursing (Board),  
7 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
8 and all other statutorily required documents were properly served on Respondent on August 30,  
9 2010. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of  
10 Accusation No. 2011-158 is attached as exhibit A and incorporated by reference.

11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, and understands the charges and allegations in  
13 Accusation No. 2011-158. Respondent has also carefully read, and understands the effects of this  
14 Stipulated Settlement and Disciplinary Order.

15 6. Respondent is fully aware of her legal rights in this matter, including the right to a  
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at  
17 her own expense; the right to confront and cross-examine the witnesses against her; the right to  
18 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to  
19 compel the attendance of witnesses and the production of documents; the right to reconsideration  
20 and court review of an adverse decision; and all other rights accorded by the California  
21 Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
23 every right set forth above.

24 CULPABILITY

25 8. Respondent admits the truth of each and every charge and allegation in Accusation  
26 No. 2011-158.

9. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board of Registered Nursing (Board)'s probationary terms as set forth in the Disciplinary Order below.

## CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

**DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Registered Nurse License No. 407891 issued to Respondent Carla Anderson (Respondent) is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

**Severability Clause.** Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

**Criminal Court Orders:** If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. **Comply with the Board's Probation Program.** Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Board's Probation Program. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, Respondent's license shall be fully restored.

3. **Report in Person.** Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

1                   4.     **Residency, Practice, or Licensure Outside of State.** Periods of residency  
2 or practice as a registered nurse outside of California shall not apply toward a reduction of this  
3 probation time period. Respondent's probation is tolled, if and when she resides outside of  
4 California. Respondent must provide written notice to the Board within 15 days of any change of  
5 residency or practice outside the state, and within 30 days prior to re-establishing residency or  
6 returning to practice in this state.

7         Respondent shall provide a list of all states and territories where she has ever been licensed  
8 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide  
9 information regarding the status of each license and any changes in such license status during the  
10 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing  
11 license during the term of probation.

12                   5.     **Submit Written Reports.** Respondent, during the period of probation,  
13 shall submit or cause to be submitted such written reports/declarations and verification of actions  
14 under penalty of perjury, as required by the Board. These reports/declarations shall contain  
15 statements relative to Respondent's compliance with all the conditions of the Board's Probation  
16 Program. Respondent shall immediately execute all release of information forms as may be  
17 required by the Board or its representatives.

18         Respondent shall provide a copy of this Decision to the nursing regulatory agency in every  
19 state and territory in which she has a registered nurse license.

20                   6.     **Function as a Registered Nurse.** Respondent, during the period of  
21 probation, shall engage in the practice of registered nursing in California for a minimum of 24  
22 hours per week for 6 consecutive months or as determined by the Board.

23         For purposes of compliance with the section, "engage in the practice of registered nursing"  
24 may include, when approved by the Board, volunteer work as a registered nurse, or work in any  
25 non-direct patient care position that requires licensure as a registered nurse.

26         The Board may require that advanced practice nurses engage in advanced practice nursing  
27 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.  
28

1 If Respondent has not complied with this condition during the probationary term, and  
2 Respondent has presented sufficient documentation of her good faith efforts to comply with this  
3 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an  
4 extension of Respondent's probation period up to one year without further hearing in order to  
5 comply with this condition. During the one year extension, all original conditions of probation  
6 shall apply.

7 **7. Employment Approval and Reporting Requirements.** Respondent shall  
8 obtain prior approval from the Board before commencing or continuing any employment, paid or  
9 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
10 performance evaluations and other employment related reports as a registered nurse upon request  
11 of the Board.

12 Respondent shall provide a copy of this Decision to her employer and immediate  
13 supervisors prior to commencement of any nursing or other health care related employment.

14 In addition to the above, Respondent shall notify the Board in writing within seventy-two  
15 (72) hours after she obtains any nursing or other health care related employment. Respondent  
16 shall notify the Board in writing within seventy-two (72) hours after she is terminated or  
17 separated, regardless of cause, from any nursing, or other health care related employment with a  
18 full explanation of the circumstances surrounding the termination or separation.

19 **8. Supervision.** Respondent shall obtain prior approval from the Board  
20 regarding Respondent's level of supervision and/or collaboration before commencing or  
21 continuing any employment as a registered nurse, or education and training that includes patient  
22 care.

23 Respondent shall practice only under the direct supervision of a registered nurse in good  
24 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods  
25 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are  
26 approved.

27 Respondent's level of supervision and/or collaboration may include, but is not limited to the  
28 following:

1 (a) Maximum - The individual providing supervision and/or collaboration is present in  
2 the patient care area or in any other work setting at all times.

3 (b) Moderate - The individual providing supervision and/or collaboration is in the patient  
4 care unit or in any other work setting at least half the hours Respondent works.

5 (c) Minimum - The individual providing supervision and/or collaboration has person-to-  
6 person communication with Respondent at least twice during each shift worked.

7 (d) Home Health Care - If Respondent is approved to work in the home health care  
8 setting, the individual providing supervision and/or collaboration shall have person-to-person  
9 communication with Respondent as required by the Board each work day. Respondent shall  
10 maintain telephone or other telecommunication contact with the individual providing supervision  
11 and/or collaboration as required by the Board during each work day. The individual providing  
12 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to  
13 patients' homes visited by Respondent with or without Respondent present.

14 **9. Employment Limitations.** Respondent shall not work for a nurse's  
15 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a  
16 traveling nurse, or for an in-house nursing pool.

17 Respondent shall not work for a licensed home health agency as a visiting nurse unless the  
18 registered nursing supervision and other protections for home visits have been approved by the  
19 Board. Respondent shall not work in any other registered nursing occupation where home visits  
20 are required.

21 Respondent shall not work in any health care setting as a supervisor of registered nurses.  
22 The Board may additionally restrict Respondent from supervising licensed vocational nurses  
23 and/or unlicensed assistive personnel on a case-by-case basis.

24 Respondent shall not work as a faculty member in an approved school of nursing or as an  
25 instructor in a Board approved continuing education program.

26 Respondent shall work only on a regularly assigned, identified and predetermined  
27 worksite(s) and shall not work in a float capacity.

28



1 If Respondent is working or intends to work in excess of 40 hours per week, the Board may  
2 request documentation to determine whether there should be restrictions on the hours of work.

3 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall  
4 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later  
5 than six months prior to the end of her probationary term.

6 Respondent shall obtain prior approval from the Board before enrolling in the course(s).  
7 Respondent shall submit to the Board the original transcripts or certificates of completion for the  
8 above required course(s). The Board shall return the original documents to Respondent after  
9 photocopying them for its records.

10 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with  
11 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the  
12 amount of \$2,530.00. Respondent shall be permitted to pay these costs in a payment plan  
13 approved by the Board, with payments to be completed no later than three months prior to the end  
14 of the probation term.

15 If Respondent has not complied with this condition during the probationary term, and  
16 Respondent has presented sufficient documentation of her good faith efforts to comply with this  
17 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an  
18 extension of Respondent's probation period up to one year without further hearing in order to  
19 comply with this condition. During the one year extension, all original conditions of probation  
20 will apply.

21 12. **Violation of Probation.** If Respondent violates the conditions of her  
22 probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside  
23 the stay order and impose the stayed discipline (revocation/suspension) of Respondent's license.

24 If during the period of probation, an accusation or petition to revoke probation has been  
25 filed against Respondent's license or the Attorney General's Office has been requested to prepare  
26 an accusation or petition to revoke probation against Respondent's license, the probationary  
27 period shall automatically be extended and shall not expire until the accusation or petition has  
28 been acted upon by the Board.

1           13.   **License Surrender.** During Respondent's term of probation, if she ceases  
2 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of  
3 probation, Respondent may surrender her license to the Board. The Board reserves the right to  
4 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to  
5 take any other action deemed appropriate and reasonable under the circumstances, without further  
6 hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no  
7 longer be subject to the conditions of probation.

8           Surrender of Respondent's license shall be considered a disciplinary action and shall  
9 become a part of Respondent's license history with the Board. A registered nurse whose license  
10 has been surrendered may petition the Board for reinstatement no sooner than the following  
11 minimum periods from the effective date of the disciplinary decision:

12           (1)   Two years for reinstatement of a license that was surrendered for any reason other  
13 than a mental or physical illness; or

14           (2)   One year for a license surrendered for a mental or physical illness.

15           14.   **Physical Examination.** Within 45 days of the effective date of this  
16 Decision and prior to the commencement of work as a registered nurse in California, Respondent,  
17 at her expense, shall have a licensed physician, nurse practitioner, or physician assistant, who is  
18 approved by the Board before the assessment is performed, submit an assessment of the  
19 Respondent's physical condition and capability to perform the duties of a registered nurse. Such  
20 an assessment shall be submitted in a format acceptable to the Board. If medically determined, a  
21 recommended treatment program will be instituted and followed by the Respondent with the  
22 physician, nurse practitioner, or physician assistant providing written reports to the Board on  
23 forms provided by the Board.

24           If Respondent is determined to be unable to practice safely as a registered nurse, the  
25 licensed physician, nurse practitioner, or physician assistant making this determination shall  
26 immediately notify the Board and Respondent by telephone, and the Board shall request that the  
27 Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall  
28 immediately cease practice and shall not resume practice until notified by the Board. During this

1 period of suspension, Respondent shall not engage in any practice for which a license issued by  
2 the Board is required until the Board has notified Respondent that a medical determination  
3 permits Respondent to resume practice. This period of suspension will not apply to the reduction  
4 of this probationary time period.

5 If Respondent fails to have the above assessment submitted to the Board within the 45-day  
6 requirement, Respondent shall immediately cease practice and shall not resume practice until  
7 notified by the Board. This period of suspension will not apply to the reduction of this  
8 probationary time period. The Board may waive or postpone this suspension only if significant,  
9 documented evidence of mitigation is provided. Such evidence must establish good faith efforts  
10 by Respondent to obtain the assessment, and a specific date for compliance must be provided.  
11 Only one such waiver or extension may be permitted.

12 **15. Participate in Treatment/Rehabilitation Program for Chemical**  
13 **Dependence.** Respondent, at her expense, shall successfully complete during the probationary  
14 period or shall have successfully completed prior to commencement of probation a Board-  
15 approved treatment/rehabilitation program of at least six months duration. As required, reports  
16 shall be submitted by the program on forms provided by the Board. If Respondent has not  
17 completed a Board-approved treatment/rehabilitation program prior to commencement of  
18 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in  
19 a program. If a program is not successfully completed within the first nine months of probation,  
20 the Board shall consider Respondent in violation of probation.

21 Based on Board recommendation, each week Respondent shall be required to attend at least  
22 one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous,  
23 Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board.  
24 If a nurse support group is not available, an additional 12-step meeting or equivalent shall be  
25 added. Respondent shall submit dated and signed documentation confirming such attendance to  
26 the Board during the entire period of probation. Respondent shall continue with the recovery plan  
27 recommended by the treatment/rehabilitation program or a licensed mental health examiner  
28 and/or other ongoing recovery groups.

1                   16.     **Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent  
2 shall completely abstain from the possession, injection or consumption by any route of all  
3 controlled substances and all psychotropic (mood altering) drugs, including alcohol, except when  
4 the same are ordered by a health care professional legally authorized to do so as part of  
5 documented medical treatment. Respondent shall have sent to the Board, in writing and within  
6 fourteen (14) days, by the prescribing health professional, a report identifying the medication,  
7 dosage, the date the medication was prescribed, the Respondent's prognosis, the date the  
8 medication will no longer be required, and the effect on the recovery plan, if appropriate.

9             Respondent shall identify for the Board a single physician, nurse practitioner or physician  
10 assistant who shall be aware of Respondent's history of substance abuse and will coordinate and  
11 monitor any prescriptions for Respondent for dangerous drugs, controlled substances or mood-  
12 altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report  
13 to the Board on a quarterly basis Respondent's compliance with this condition. If any substances  
14 considered addictive have been prescribed, the report shall identify a program for the time limited  
15 use of any such substances.

16             The Board may require the single coordinating physician, nurse practitioner, or physician  
17 assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive  
18 medicine.

19                   17.     **Submit to Tests and Samples.** Respondent, at her expense, shall  
20 participate in a random, biological fluid testing or a drug screening program which the Board  
21 approves. The length of time and frequency will be subject to approval by the Board.  
22 Respondent is responsible for keeping the Board informed of Respondent's current telephone  
23 number at all times. Respondent shall also ensure that messages may be left at the telephone  
24 number when she is not available and ensure that reports are submitted directly by the testing  
25 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately  
26 to the Board by the program and Respondent shall be considered in violation of probation.

27             In addition, Respondent, at any time during the period of probation, shall fully cooperate  
28 with the Board or any of its representatives, and shall, when requested, submit to such tests and

1 samples as the Board or its representatives may require for the detection of alcohol, narcotics,  
2 hypnotics, dangerous drugs, or other controlled substances.

3 If Respondent has a positive drug screen for any substance not legally authorized and not  
4 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board  
5 files a petition to revoke probation or an accusation, the Board may suspend Respondent from  
6 practice pending the final decision on the petition to revoke probation or the accusation. This  
7 period of suspension will not apply to the reduction of this probationary time period.

8 If Respondent fails to participate in a random, biological fluid testing or drug screening  
9 program within the specified time frame, Respondent shall immediately cease practice and shall  
10 not resume practice until notified by the Board. After taking into account documented evidence  
11 of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may  
12 suspend Respondent from practice pending the final decision on the petition to revoke probation  
13 or the accusation. This period of suspension will not apply to the reduction of this probationary  
14 time period.

15 **18. Mental Health Examination.** Respondent shall, within 45 days of the  
16 effective date of this Decision and prior to commencement of work as a registered nurse in  
17 California, have a mental health examination including psychological testing as appropriate to  
18 determine her capability to perform the duties of a registered nurse. The examination will be  
19 performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by  
20 the Board. The examining mental health practitioner will submit a written report of that  
21 assessment and recommendations to the Board. All costs are the responsibility of Respondent.  
22 Recommendations for treatment, therapy or counseling made as a result of the mental health  
23 examination will be instituted and followed by Respondent.

24 If Respondent is determined to be unable to practice safely as a registered nurse, the  
25 licensed mental health care practitioner making this determination shall immediately notify the  
26 Board and Respondent by telephone, and the Board shall request that the Attorney General's  
27 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease  
28 practice and may not resume practice until notified by the Board. During this period of

1 suspension, Respondent shall not engage in any practice for which a license issued by the Board  
2 is required, until the Board has notified Respondent that a mental health determination permits  
3 Respondent to resume practice. This period of suspension will not apply to the reduction of this  
4 probationary time period.


5 If Respondent fails to have the above assessment submitted to the Board within the 45-day  
6 requirement, Respondent shall immediately cease practice and shall not resume practice until  
7 notified by the Board. This period of suspension will not apply to the reduction of this  
8 probationary time period. The Board may waive or postpone this suspension only if significant,  
9 documented evidence of mitigation is provided. Such evidence must establish good faith efforts  
10 by Respondent to obtain the assessment, and a specific date for compliance must be provided.  
11 Only one such waiver or extension may be permitted.

12 19. **Therapy or Counseling Program.** Respondent, at her expense, shall  
13 participate in an on-going counseling program until such time as the Board releases her from this  
14 requirement and only upon the recommendation of the counselor. Written progress reports from  
15 the counselor will be required at various intervals.

16 ACCEPTANCE

17 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the  
18 stipulation and the effect it will have on my Registered Nurse License. I enter into this  
19 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree  
20 to be bound by the Decision and Order of the Board of Registered Nursing.

21  
22 DATED: 1/12/2011

  
23 CARLA ANDERSON  
24 Respondent  
25  
26  
27  
28

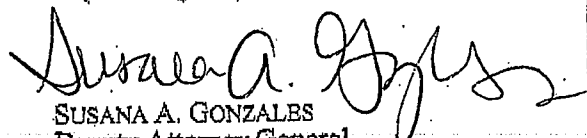
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: January 21, 2011

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
DIANN SOKOLOFF  
Supervising Deputy Attorney General

  
SUSANA A. GONZALES  
Deputy Attorney General  
Attorneys for Complainant

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**Exhibit A**

**Accusation No. 2011-158**



1 EDMUND G. BROWN JR.  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 SUSANA A. GONZALES  
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7 E-mail: Susana.Gonzales@doj.ca.gov  
*Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2011-158*

12 **CARLA ANDERSON, a.k.a. CARLA R.**  
13 **ANDERSON, a.k.a. CARLA RAYNE**  
14 **ANDERSON**  
29985 SW Rose Lane, Apt. # 130  
Wilsonville, OR 97070  
15 Registered Nurse License No. 407891

**ACCUSATION**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
22 of Consumer Affairs.

23 2. On or about January 31, 1987, the Board of Registered Nursing issued Registered  
24 Nurse License Number 407891 to Carla Anderson, also known as Carla R. Anderson, also known  
25 as Carla Rayne Anderson (Respondent). The Registered Nurse License was in full force and  
26 effect at all times relevant to the charges brought in this Accusation and will expire on June 30,  
27 2012, unless renewed.  
28

## JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

6. Section 118(b) of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

## STATUTORY PROVISIONS

7. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

...

"(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

1 COST RECOVERY

2 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licensee found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 CAUSE FOR DISCIPLINE  
(Unprofessional Conduct – Out of State Discipline)  
(Bus. & Prof. Code §2761(a)(4))

7 9. Respondent is subject to disciplinary action under Code section 2761(a)(4) in that on  
8 or about September 16, 2009, in a disciplinary action before the Board of Nursing of the State of  
9 Oregon (Oregon Board), Case Number 09-265, the Oregon Board entered an Order suspending  
10 Respondent's Registered Nurse License and Family Nurse Practitioner's License for a minimum  
11 of two years. A Stipulation for Suspension, signed by both Respondent and the Oregon Board,  
12 was incorporated into the Oregon Board's Order. According to the Stipulation for Suspension,  
13 prior to reinstatement of her Registered Nurse License and her Family Nurse Practitioner  
14 Certificate, Respondent was required to: (1) obtain a current comprehensive physical and  
15 neuropsychological evaluation by a provider approved by the Board and provide the Board with  
16 evidence of compliance with the recommended treatment modalities for any physical and mental  
17 diagnosis; (2) obtain a current chemical dependence evaluation by a provider approved by the  
18 Oregon Board and provide the Board with evidence of compliance with the recommended  
19 treatment modalities for any chemical dependence; and (3) provide verification that she has met  
20 the practice requirement as established by Divisions 31, 50 and 56 of the Nurse Practice Act,  
21 including completion of an Oregon Board-approved 45 hour pharmacology course.

22 10. The underlying conduct supporting the Oregon Board's disciplinary action is that on  
23 or about January 2009, the Oregon Board initiated an investigation of Respondent after she came  
24 to the attention of the Oregon Board due to her long history of untreated chronic pain and recent  
25 drug-seeking behaviors. After practicing as a Family Nurse Practitioner in clinics and hospitals  
26 throughout California and Oregon, Respondent began a solo practice in Wilsonville, Oregon,  
27 providing primary care to patients. The Oregon Board discovered that Respondent had begun  
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1 developing neurological symptoms around 1999, after treatment for a wrist fracture. Her  
2 symptoms worsened in 2003, and she sought the advice of multiple specialists and underwent  
3 multiple tests. Her chronic medical symptoms included fatigue, anxiety, panic attacks,  
4 depression, foot pain, lumbar strain, situational stress, restless leg syndrome, insomnia,  
5 fibromyalgia, disequilibrium, asthma, dizziness, hematuria, ear pain, muscle spasms,  
6 premenstrual syndrome, vertigo, migraines, dystonia, neuropathic pain, post-traumatic stress  
7 disorder, and osteoporosis.

8 11. Respondent underwent a three day chemical dependency evaluation at Serenity Lane,  
9 where she was diagnosed with Opioid and Benzodiazepine Dependence. Respondent was  
10 discharged from Serenity Lane on February 17, 2009, with the recommendation that she follow  
11 up with a facility that could provide her with a more comprehensive evaluation. Serenity Lane  
12 also recommended that Respondent not return to work as a Nurse Practitioner until she received  
13 medical, psychiatric, and addiction treatment. Respondent acknowledged her need to voluntarily  
14 remove herself from practice and signed an Interim Order by Consent on February 19, 2009.  
15 Respondent closed her solo practice and followed the Oregon Board's rules to ensure that her  
16 patients received proper notice and access to their medical records.

#### 17 PRAYER

18 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this  
19 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

20 1. Revoking or suspending Registered Nurse Number 407891, issued to Carla Anderson,  
21 also known as Carla R. Anderson, also known as Carla Rayne Anderson;

22 2. Ordering Carla Anderson, also known as Carla R. Anderson, also known as Carla  
23 Rayne Anderson to pay the Board of Registered Nursing the reasonable costs of the investigation  
24 and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: August 30, 2010

*Louise L. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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